

The Measure of Literacy in Late Medieval England: The Case of St. Albans, 1237-1399

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Introduction

In the mid-thirteenth century, the tenants living on the manors of the liberty of St Albans had no use for letters. Whenever they had need to pledge marriage vows, declare their last will and testament, or buy or sell land and property, only their spoken words served to seal their promises. “Truth,” as they understood it, resided in the character of the person who solemnly swore to it; by their nature, good men and women embodied the truth, while those renowned for poor character could never claim it.¹ When jurors heard the testimony of litigants in court, they based their decisions on the relative good repute of the opposing parties, for the “facts” of a case could not be disentangled from the moral standing of those persons who spoke them. The tenants had adhered to this system from time out of mind. Since it worked effectively to solve disputes, they no doubt imagined that they always would.

Yet in the first decades of the fourteenth century, the tenants of St Albans began to adopt a new evidentiary standard in court that would not only change the procedures used therein, but would transform their approaches to a host of extra-judicial concerns. While jurors selected from among the laypeople judged the cases at the manor courts, the monks who owned the manors administered the courts and kept copious written records of the proceedings. Ever so slowly, over the course of years, tenants learned that these records could be used successfully to challenge the truth claims of oral witnesses. Those who adopted these procedures generally won their cases. These litigants may have never learned to read, but they did learn the power of writing. More profoundly, they learned that truth could reside not just in the content of one’s character, but could also take form in symbols etched onto a lifeless scrap of parchment.

That realization gave them the confidence and evidence needed to challenge traditional authorities in manners not previously imaginable. In courts of law, men popularly assumed to be of poor character could now disprove the word of their social betters. Women could now successfully challenge the verdicts of the men who served as their jurors. Most flamboyantly, the tenants could now assemble legal evidence to overturn the ancient privileges of their monastic lords. When those cases did not find verdicts in accordance with the evidence, the tenants violently rebelled. The adoption of literate practices did not turn the world of the Liberty of St Albans upside down, but it did make previously stable and explicitly vertical personal and corporate power relationships into far more topsy-turvy structures. The process that undermined those once firm social structures forms the subject of my dissertation and of this presentation.

The Spread of Literacy in St Albans

Since the days of King Offa (r. 757-796), the abbot of St Albans had owned all of the lands of the liberty of St Albans, a vast holding that comprised about half of the county of Hertfordshire, about a day's journey north from London. In 1237 the abbot established a system of manor courts to adjudicate the civil claims of his tenants, and they would not cease meeting until Henry VIII dissolved the monasteries of England in 1536.² The documents of these proceedings, the St Albans court books, are the oldest manor court records yet discovered.³ While not all of the extant volumes are complete, several of them cover the entire period from the middle of the thirteenth century to the end of the fourteenth.

The court books record the sort of proceedings that were typical of the manorial system: the assize [tax] of ale, the collecting of fines for leyrwit [loss of virginity], marriage, manumission [freedom from serfdom], and heriot [death tax], the improper use of the lord's lands and fishponds, and land transactions. While the types of entries recorded in the court books persist

with little variation over the centuries, the procedures followed in the courts to obtain verdicts changed markedly. For the first few decades of the courts' operations, they observe almost entirely oral procedures. Witnesses came forward and gave their evidence before the bailiff of the liberty and a monastic office holder. Initially it seems that these functionaries served also as finders of fact, but by the 1290's they began to impress grand juries, whose names were recorded in the court books. While oral testimony never fell out of vogue among tenants, beginning in the fourteenth century many of them began to use textual instruments to prove their claims in court. The figure in Appendix A shows the quantitative use of literate means of conducting business at the abbey's courts during the period 1237-1399. Clearly, it testifies to a sharp rise in the use of texts to prove legal claims.

The chart quantifies data about three specific forms of literate behavior. First, it records the proliferation of the use of charters in proving title to land. Such cases would include, for example, that of Agnes le Swone, a tenant of the manor of Norton who approached the manor court on an unrecorded date during Michaelmas [autumn] Term of 1312. Agnes's husband John had just died, and the lord Abbot had seized the seven acres of free land that he had held. The record of the court relates that Agnes approached the bench with two charters, one of which recorded title to six of the seven acres which her husband had possessed. The other recorded the separate purchase of the remaining acre. The court accepted the documents, and granted Agnes title to all of her husband's lands after three male sponsors offered to pledge a twelve pence fine on her behalf.⁴ Agnes's case, while seemingly a routine transaction of no especial import, sheds light on a literate mentality that was new to her generation. Twenty years before, Agnes would have approached the twelve jurors of presentment and asked them to verify her claims based on oral evidence. While factual knowledge might have entered into their decision-making process,

their verdict would ultimately have been based more on their judgment of the moral reputation and social standing of Agnes's husband, Agnes herself, and the men she brought with her to verify her claims. With the presentation of these charters, which Agnes and John must have carefully guarded for some years, questions of Agnes's character became of secondary importance to the objective veracity and factuality of her claim, and the chance that she might be defrauded of her rightful inheritance was nullified. As the quantitative data makes clear, Agnes was not alone in preferring this new, literate standard of truth to the oral system that had heretofore prevailed.

The presentation of privately held charters speaks to a growing preference on the part of commoners for a text-based evidentiary system; so too does the second new literate behavior, the use of the abbey's archive of court rolls in proving accurate case history. Once again, our example is a bereaved widow, in this case Elena at Delle, who on April 11, 1328 attended the manor court at Abbots Langley to claim her recently deceased husband Nicholas's land. The jurors apparently did not trust her claim, and answered that the land lacked an heir. Elena in turn argued that she had been granted title to this land during the time when Brother Luke de Boyndon had presided over the court, and asked that the records of Brother Luke's tenure be examined to verify her claim. The rolls were searched. Not only was Elena's claim verified, but the twelve men of the jury were fined two shillings tuppence for perjury.⁵ It is impossible to reconstruct the precise dynamics that underlay the conflict between Elena and the men of the jury. What can be said is that her oral testimony, itself an extension of her character and repute, had failed to move the jurors to grant her the land. Yet the bailiff of the Abbot's Langley court had judged the literate monument of the court's own records to have greater truth-telling ability than the combined good repute of the 12 jurors of the court, who were themselves the most

upstanding male landholders on the manor. In the growing acceptance of written records at the manor court lay not only a new set of legal practices, but a new standard of truth, and a power dynamic that benefited women such as Agnes and Elena.

That the commoners recognized this power is proven by the proliferation of the third major literate behavior, the licensing of boys to learn Latin letters. A rare career option before the 1320's, by the middle part of the 14th century more and more parents chose to pay the fine necessary so that their sons could learn to read and write. Evidently some parents even tried to have their children taught letters without the abbot's permission, such as Richard Pounteys of the manor of Winslow, who appeared with his son before the court on 27 August 1340 to pay a fine of two shillings so that he might be sent to school (*scolas clericales*).⁶ Parents such as Richard, who regularly appeared as a juror and was one of the major landholders of the manor, recognized the utility of learning Latin, and wanted their children to reap the legal and financial rewards such as education merited.

When all of these well-attested literate behaviors are considered together, it becomes clear that the courts of St Albans had undergone a revolution in their procedural system by the mid-fourteenth century. More significantly, tenants could not have successfully adopted such literate procedures without also accepting a new paradigm for the construction of truth. Tenants still accepted oral procedures. Truth still resided within the person and character of the oral witness. Yet with each passing term, attendees to the manor courts discovered that not only could a true narrative reside in an old slip of parchment or a rolled up sheet of vellum, but that these narratives could be used successfully to contradict the word of the living. The monks of St Albans abbey maintained archival records and regularly corroborated their truth value. Little did

they know that this approach toward texts and truth that they had taught their tenants could be used politically against them.

The Political Consequences of Practical Literacy

Over the course of the fourteenth century, the once peaceable liberty of St Albans erupted time and again in political strife. While the demographic calamities of the era (e.g. the Black Death) and the consequent restructuring of economic life no doubt bear much responsibility for exacerbating these social movements,⁷ the chronology of events more closely parallels the rise in literate procedures in the manor courts. Moreover, the methods insurgents followed to achieve their goals, the rhetoric they employed, and the justifications they gave for their actions speak to the literate mentality that suffused their day-to-day legal lives. Ultimately, the tactics tenants employed to secure greater liberties (*libertates*) for their communities mirrored on a corporate level the behaviors they had already begun to adopt as individuals. When their legal tactics failed to persuade the abbey and the royal government to redress what they perceived as wrongs proven through textual evidence, they reacted in a way they never would have thought acceptable before: in open rebellion against their lords.

Individual tenants had used the manorial court system to petition the abbey for rights vested in texts. In just the same manner, in 1315 a group of burghers from St. Albans sent a petition to Parliament. The petition claimed that in ancient times their ancestors had held the right to attend Parliament along with the representatives of other enfranchised towns, and that on that basis they deserved such status in the present day.⁸ Prior to the advent of the textual standard of truth, the claim would have seemed preposterous, as the abbot alone had always claimed that right since time out of mind. The back of the petition records that a parliamentary functionary searched the rolls of the royal chancery court for record of previous enfranchisement in a manner analogous to

how the bailiff would scrutinize the manorial court rolls for Elena ate Delle for record of her property rights in thirteen years' time. Yet no record of these rights was found. Such bad tidings did not dissuade the would-be MPs. A few years later, a group of men again calling themselves burghers from St Albans demanded that they be recognized as free men, and this time claimed that the king held a charter that explicitly stated these rights.⁹ Just as Agnes le Swone had used charters to prove title to her husband's land, so the men of St Albans expected a charter would prove their right to the franchise.

Like the first, this second petition failed to turn up written evidence of free status. Yet the scope and popularity of the myth of a document in the royal archive that proved that the ancestors of St Albans had held free burgage seemed only to have grown in the years that followed. In 1326, taking advantage of the weak state of royal government during the civil war between Edward II and Isabella of France, the people of St Albans forcibly rose up against the abbey. While a full analysis of that event is impossible here, its major characteristics can be interpreted as an attempt to make the mythic, enfranchised past a present reality, and to justify that past through texts. At the start of the revolt, the men of St Albans presented a series of seven demands to the lord abbot which they dubbed a "charter of liberties." In each of the seven clauses, they called themselves "free burghers," and demanded rights which "they were accustomed to enjoy anciently."¹⁰ As in their second parliamentary petition, they again claimed that these rights rested in a mysterious charter of liberties (*charta libertatis*), but now added a second textual justification, "a certain book in the Treasury of the King called Domesday." According to Thomas Walsingham, a monastic chronicler, for several weeks the tenants of St Albans held the monks virtual hostages, and during this time they not only managed to get hold of a copy of the St Albans entry in Domesday Book recording the existence of forty-six "free

burghers” at the time of its composition,¹¹ but also made Abbot Hugh de Eversdon sign a writ declaring that to stop the tenants from enjoying the liberties of a chartered free town would be “against the tenor of the *Magna Carta* of the Liberties of England.”¹²

The tenants, armed with their documentary evidence, convinced Queen Isabella to grant them free borough status. For the next several years they elected two men to parliament, elected twelve aldermen to govern them, and truly enjoyed the free status they believed their ancestors had held. In the centuries between, the people of St Albans had imagined themselves as nothing more than customary tenants, ruled as they were by monks who controlled the written evidence of their status and who relegated them to servility. The development of legal literacy among the tenant community had freed them from this stasis, fusing their political hopes with the promise of textual justifications, enabling a progressive political ideology that aimed to recapture a golden age. The free burgh of St Albans that existed for a period of just under seven years during the late 1320’s and early 1330’s was the grand culmination of those dreams.

But it would not last. Edward III assumed his majority, heard the petitions of the abbot of St Albans, decided his mother’s indulgence of the tenants had been a folly, and revoked her decision. Following a lengthy inquisition by the king’s justices, in 1332 the men of the town surrendered their charter and the seal they had adopted.¹³ The once proud free men again became mere tenants. In the decades that followed, they had few chances to win back enfranchised status. Yet the memory of their accomplishment and the narrative of their ancestral freedom persisted. Laymen would not write vernacular histories in England until the next century, but the townspeople of the generation of the 1327 rebellion orally relayed the past to their children. The Chronicler, Walsingham, wrote that several decades afterwards “Certain old liars of the town especially instigated younger men to rebel and demand liberties, inducing them to this through

false fables, so that they believed they had certain rights and privileges from king Offa.”¹⁴ Walsingham named several of the chief story tellers. One was called Benedict Spichfat, a scion of one of the most powerful families in St. Albans, and no doubt a relative of the Benedict Spichfat who stood among the elected aldermen in 1326;¹⁵ another was called William atte Halle, a possible descendent of the Robert atte Halle who stood among the town leaders who surrendered the charter and seal in 1332.¹⁶ Chris Wickham and James Fentress have written that in a literate culture the most powerful social memories “come to be structured through a dialectic between written and oral narrative.”¹⁷ Walsingham described well the power of that dialectic, as the oral narratives old men told of a textually justified past motivated a new generation to rebellion in 1381. In telling their tales Spichfat and atte Halle confronted the young men of St Albans with a potent admixture of the old oral truth that resided in the character of the man who spoke it, and the new, written truth based on factual veracity; it is hardly a wonder that their arguments sounded convincing to the young.

The very fact that Walsingham insisted on naming these men and refuting their stories within an official chronicle of the monastery proves how powerful the belief in archivally based liberties had grown. The manipulation of the written past by the lay community had become so deft, compelling, and omni-present that even cloistered monks required instruction in avoiding its snares. Indeed, when in 1381 the lay community rebelled against the monastery a second time, Walsingham lamented that the chief leader of the revolt, William Grindcobbe, had himself been “educated, nourished, and set forth from the monastery, for he was then close to monks who were his kin.”¹⁸ Grindcobbe, a literate man who had been raised as a member of the extended monastic family, had chosen to rebel against that authority. Following this second revolt, he paid for that decision with his life. A century before, he likely would never have presumed to

challenge an establishment whose spiritual and temporal authority seemed eternal and impregnable. Walsingham preserved no direct speech from Grindcobbe's lips or testament written in his hand. Yet based on the cultural currents that swirled about him, I feel confident that if we asked Grindcobbe why he had chosen to rebel, he would tell us that while the monks of the abbey might claim absolute authority over its tenants, he knew from all that he had read and all that he had heard, from the character of his elders and the truth of his charters, that his people had once been free, and—if the king's courts but allowed it—in future they would be once more.

Conclusions

St Albans was far from alone in experiencing violence and rebellion over the course of the fourteenth century. Dozens of other English towns likewise rose up in rebellion in 1327, and in 1381 much of the southern part of the country joined in on the greatest mass uprising in English history. Likewise, continental Europe experienced scores of unprecedented popular revolts,¹⁹ from Paris (1358), to Florence (1378), to Flanders (1382), and many smaller places in between. A century ago, Victorian historians interpreted the revolts as the idiotic rage of the unwashed masses.²⁰ By the 1960's, Marxist scholars had revised the story, claiming the rebels as a proletariat righteously enraged at those who owned the means of production.²¹ Most recently, literary critics have argued for the mutual unintelligibility of the literate narrators who wrote accounts of the revolts and the unlettered subjects they emplotted.²² My case study of St. Albans is indeed a tiny corner of Europe. Yet I hope that, by painstakingly adumbrating how these otherwise unremarkable people had over the course of many years become increasingly literate, legally savvy, text-oriented, and insouciant in the face of traditional authorities, I might humbly raise the possibility that the rage that fueled rebellion in the late Middle Ages was not solely the province of the unwashed and unlettered idiot.

¹ For the importance of good repute in establishing guilt or innocence in courts of law, see Barbara Hanawalt, “‘Of Good and Ill Repute’: On the Limits of Community Tolerance,” *Of Good and Ill Repute: Gender and Social Control in Medieval England* (New York: Oxford University Press, 1998), and Richard Firth Green, *A Crisis of Truth: Literature and Law in Ricardian England* (Philadelphia: University of Pennsylvania Press, 1999): 41-77.

² The classic study of the St Albans manor courts is A. E. Levett, *Studies in Manorial History* (Oxford University Press: New York, 1938). For a study of the evolution of legal procedure in the courts, see J. S. Beckerman, “Customary law in English manorial courts in the thirteenth and fourteenth centuries” (Ph.D Thesis, University of London, 1972). A study which used the court books to glean economic data is Leon Slota, “A Study of the Land market on the St Albans Manors of Park and Codicote, 1237-1399” (PhD Thesis, University of Michigan, 1984).

³ For a discussion of the origins of manor courts, see Zvi Razi and Richard Smith, “The Origins of the English Manorial Court Rolls as a Written Record: A Puzzle” in *Medieval Society and the Manorial Court*, eds. Razi and Smith, (Oxford University Press: New York, 1996).

⁴ Hertfordshire Archives and Local Studies MS 75498 “Norton Court Book,” f20r.

⁵ Sidney Sussex College MS 1, “Abbots Langley Court Book,” flv-2r.

⁶ Cambridge University Library MS dd 7 22 “Winslow Court Book” f23v.

⁷ The literature on the causes and conduct of the revolt is voluminous. Still the most thoughtful analysis is Rodney Hilton, *Bond Men Made Free: Medieval Peasant Movements and the English Rising of 1381* (London: Temple Smith, 1973), a well-balanced collection of essays is found in Rodney Hilton and T.H. Aston eds., *The English Rising of 1381* (Cambridge: Cambridge University Press, 1984).; the most significant recent synthesis, which conflicts sharply with the ideas of this paper, is Steven Justice, *Writing and Rebellion: England in 1381*, (Berkeley, CA: University of California Press, 1994).

⁸ The National Archives of The United Kingdom (hereafter TNA), SC/170/8472.

⁹ TNA SC/8/30/1483. The charter can only be dated by the chancellor named in the text, which places it somewhere between 1320 and 1327.

¹⁰ ¹⁰ *Gesta Abbatum Monasterii Sancti Albani a Thoma Walsingham*, Henry Thomas Riley ed., (Her Majesty’s Stationery Office: London, 1869): ii, 157-158 Hereafter GAMSAs.

¹¹ Recorded by Walsingham in GAMSAs: ii, 163; his citation is an accurate copy of the original.

¹² Ibid, ii, 162.

¹³ Ibid, ii, 257-260.

¹⁴ Ibid, iii, 365.

¹⁵ Ibid, ii, 167.

¹⁶ *Calendar of Patent Rolls*, Edward III, (London: 1891-1916)., i, 558.

¹⁷ James Fentress and Chris Wickham, *Social Memory* (Cambridge, UK: Cambridge University Press, 1992): 68.

¹⁸ GAMSAs, iii, 300

¹⁹ For many years the only pan-European synthesis was Michel Mollat and Philippe Wolff, *Popular Revolutions in the Middle Ages*, trans. A. L. Lyttonstalls, (London: Allen & Unwin, 1973). A recent, if problematic attempt at synthesis is Samuel Cohn, *Lust for Liberty: The Politics of Social Revolt in Europe, 1200-1425* (Cambridge, MA: Harvard University Press, 2006).

²⁰ The chief example is G. R. Trevelyan, *England in the Age of Wycliffe* (New York: Longmans & Green, 1909).

²¹ See Hilton, *op. cit.*, and Mollat and Wolffe, *op. cit.*

²² See Justice, *op. cit.*, also Susan Crane, "The Writing Lesson of 1381," in *Chaucer's England: Literature in Historical Context*, ed. Barbara Hanawalt, (Minneapolis: University of Minnesota Press, 1992), and Paul Strohm, *Hochon's Arrow: The Social Imagination of Fourteenth-Century Texts*, (Princeton: Princeton University Press, 1992).

APPENDIX A

Total Literacy Usage in St. Albans Courts, 1237-1399

